

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

vs.

REGINALD WAYNE BASSETT

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Case No. 4:97cr72
(Judge Schell)

REPORT AND RECOMMENDATION **OF UNITED STATES MAGISTRATE JUDGE**

Pending before the Court is the request for revocation of Defendant's supervised release. After the District Judge referred the matter to this Court for a report and recommendation, the Court conducted a hearing on October 4, 2013, to determine whether Defendant violated his supervised release.

On February 12, 1998, Defendant was sentenced by the Honorable Richard A. Schell to two hundred and four (204) months' custody followed by five (5) years of supervised release for the offense of Unlawful Possession of a Firearm. On July 30, 2012, Defendant completed his period of imprisonment and began service of his supervised term.

On June 11, 2013, the U.S. Probation Officer executed a Petition for Warrant for Offender Under Supervision. The petition asserted that Defendant violated the following mandatory condition: the defendant shall not commit another federal, state, or local crime.

The petition alleges that Defendant committed the following acts: On November 27, 2012, Defendant committed the offense of Theft of Material/Aluminum/Bronze/Copper/Brass less than \$20,000, in Grayson County, Texas, on November 13, 2012. Defendant removed copper, motors, and an air conditioner unit from a property without the property owner's consent. Defendant was convicted of a state jail felony and sentenced to twelve (12) months' imprisonment in the Texas Department of Criminal Justice-Institutional Division on June 6, 2013.

Prior to the Government putting on its case, Defendant entered a plea of true to the violation. The Court recommends that Defendant's supervised release be revoked.

RECOMMENDATION

The Court recommends that the District Judge revoke Defendant's supervised release. Pursuant to the Sentencing Reform Act of 1984, the Court recommends that Defendant be committed to the custody of the Bureau of Prisons to be imprisoned for a term of twenty-one (21) months with no supervised release to follow. It is also recommended that this sentence should be served consecutively to any sentence of imprisonment the Defendant is currently serving. It is also recommended that Defendant be housed in the Bureau of Prisons, Texarkana Unit.

After the Court announced the recommended sentence, Defendant executed the consent to revocation of supervised release and waiver of right to be present and speak at sentencing. Defendant and the Government also waived their right to file objections.

SIGNED this 11th day of October, 2013.



AMOS L. MAZZANT
UNITED STATES MAGISTRATE JUDGE